

LAKE COUNTY EDUCATION SERVICE DISTRICT

357 North L Street  
Lakeview, OR 97630  
Alice Hunsaker, Superintendent

Phone: 541.947.3371 / 800.997.2361  
Fax: 541.947.3373  
www.lakeesd.k12.or.us



December 14, 2011

Letter of Appeal  
Federal Communications Commission  
Office of the Secretary  
9300 East Hampton Drive  
Capitol Heights, MD 20743

Re: Request for Waiver  
CC Docket No. 02-6 & 96-45  
Billed Entity Name: Lake County ESD  
Form 470 App #: 150790000873020  
Form 471 App #: 806204  
Billed Entity #: 198617

To whom it may concern:

This letter is a Request for Waiver of 60 day timeline for appealing our Funding Commitment Decision Letter. The Universal Service Administrative Company (USAC) denied our appeal because we submitted it after the 60 days had lapsed.

**Situation:**

Lake County Education Service District (Lake County ESD) filed all necessary forms to successfully complete the e-rate process; however, on the Form 471, there was a clerical error in that the amount entered for the total monthly cost of 8 lines was actually the cost per T-1 line. This mistake was reflected in the FCDL granting the requested funding, but was not noticed until the service provider contacted Lake County ESD regarding the low level of funding. Lake County ESD was in the process of submitting a separate appeal to the FCC and decided to wait until that paperwork had been filed before beginning the appeal to USAC, not realizing that the date on the FCDL was the start of our 60 day timeline. It is likely that our appeal would have been approved, but by the time all was said and done, the 60 days had lapsed and our appeal was denied solely on the 60 day criteria. This USAC appeal is attached.

**Appeal:**

The Lake County ESD is asking the FCC to waive the 60 day timeline for our appeal to USAC. While we agree that 60 days is plenty of time to formulate and submit an appeal, we are asking the FCC to take our situation into consideration.

Lake County ESD serves five school districts in a very rural and isolated area. Due to our small size we have been flat funded for five or more years, without any ability or hope of increased funding. We have streamlined every year to the point where we now have 15 staff members (full time equivalency of 11 staff, with only 8.25 FTE coming out of the general fund) to serve the five districts spread out over 8,135 square miles of our county. Distances staff have to travel to get to Lake County schools range from 4 blocks to 100 miles one way. Only two full time equivalency (three staff members) are allocated to office/administrative support. This includes the Business Manager, who alone is responsible for the entire e-rate process for the ESD and four school districts, in addition to all accounts payable and receivable, bank reconciliation, payroll, and budgeting processes; grant tracking; fiscal reporting, and other duties for both the Lake County ESD and Adel School District. The Lake County ESD does not have staff that specialize in e-rate program rules or applications. We do the best we can with what we have in as responsible of a manner as we can, meeting all deadlines we are aware of and following all program rules to the best of our ability.

During the 60 day window to file an appeal, many things were happening at Lake County ESD. Staff were returning to work, in-service had to be planned and completed, new staff had to be oriented, schools were starting back up, an appeal was filed with FCC, extra help had to be provided for the new Business Manager of a school district, significant technology issues had to be dealt with, as well as all the regular functions of day to day business.

Lake County is a very rural county with an approximate ratio of 1:1 for population to square miles (about 7,900 people spread throughout its 8,135 square miles). Our countywide student poverty rate is 50%, making for an e-rate discount level of 72%. With limited access to competitive telecommunications and technology services this funding is crucial to our ability to provide services to the five school districts in Lake County. We could not afford to offer these services to the school districts of our county without the discounts this program offers.

Our rural location, high poverty rate, and lack of ability to increase our funding level makes Lake County ESD the type of entity the e-rate program is intended to help.

Thank you for your time and consideration in this matter.



Sara Sarensen

Lake County ESD

Business Manager

357 North L Street

Lakeview, OR 97630

Ph: (541) 947-3371

Fax: (541) 947-3373

[ssarensen@lakeesd.k12.or.us](mailto:ssarensen@lakeesd.k12.or.us)

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November 8, 2011

Letter of Appeal  
Schools & Libraries Division  
Correspondence Unit  
P.O. Box 902  
Whippany, NJ 07981

Re: Appeal of Commitment Adjustment  
Billed Entity Name: Lake County ESD  
Form 471 App #: 806204  
FRN: 2187041  
Billed Entity #: 198617  
FCC RN: 0012916474

To whom it may concern:

This letter is an appeal of the Funding Commitment Decision given to Lake County ESD for Frame Relay Internet Access through Eastern Oregon Technology (FRN 2187041).

There was no mistake on the part of USAC, as our entire request was funded; however, I made a mistake while entering the monthly charge for these services. Our Attachment 21 states that we anticipated receiving connectivity for up to 8 lines for \$375 per month. What it should have read was that it would cost \$375 per line per month, making the entire monthly cost \$3,000.

I have attached an invoice from Eastern Oregon Tech from February, 2011, which is the month before I submitted our Form 471, to show that the monthly cost was \$375 per line, rather than per month. That invoice also shows that Lake County ESD had service for five lines (our Form 471 was for eight lines because we thought we might add more lines in the upcoming year). Hopefully this invoice will give evidence that the amount originally requested on the Form 471 was understated due to a simple clerical error and that this appeal is not being submitted due to a change in level of service. A current invoice from Eastern Oregon Tech is also attached to show that there has been no change in the level of service we receive.

We now anticipate adding only one T-1 line to our current level of service. Therefore, Lake County ESD is requesting that USAC revise the funding commitment for this service to be \$375 per line for six lines, for a total monthly pre-discount amount of \$2,250. After our 72% discount, the annual funding level would be \$19,440 (as opposed to the current level of \$3,240).

This appeal is being submitted more than 60 days from the date of our Funding Commitment Decision Letter because I did not notice the low level of funding on any of the correspondence from USAC and the mistake did not come to my attention until recently when I was contacted by Eastern Oregon Tech.

Internet access is just one of the many services the Lake County ESD provides for the schools in our county. Lake County ESD is the type of entity the E-Rate Program is intended to help. Lake County is very rural (we serve 1,053 students spread out over 8,000+ square miles), and, as our 72% discount level shows, has a relatively high level of student poverty. Because of the regulations Oregon ESDs are under (we are mandated to use at least 90% of our state funding to provide direct services to schools) the E-Rate discounts we receive for internet access are returned in full to our schools in the form of added services. The difference between the funding commitment currently in place (\$3,240) and what should have been requested and approved (\$19,440) may seem insignificant to larger entities; however, this amount constitutes a large value to our schools. For example, we provide \$10,000 to our county schools for the purpose of providing field trips and school assemblies for students. This service is continued, cut or reinstated annually based on budgetary capacity. Not receiving the higher discount amount will directly impact the students of Lake County.

Thank you for your consideration in this matter,



Sara Sarensen

Lake County ESD

Business Manager

357 North L Street

Lakeview, OR 97630

Ph: (541) 947-3371

Fax: (541) 947-3373

[ssarensen@lakeesd.k12.or.us](mailto:ssarensen@lakeesd.k12.or.us)

# INVOICE

Invoice Date	Invoice Number	Rev.
02/01/2011	66046	0
Customer P.O. Number		
Reference		
INTERNET ACCESS		

Questions ? Sallie Peila (541) 573-4821

**Bill To :**

Lake ESD  
ATTN: Sara Sarensen  
357 North L Street  
Lakeview, OR 97630

Attn: Sarensen, Sara

Phone: (541) 947-3371

Fax:

Project: T1 Access

Qty	Unit	Product#	Description	Unit Price	Extended	Tax	Freight
1.00	MO	LakeT1	K-12 Out T1 Internet Access, Adel	300.00	300.00	0.00	0.00
1.00	MO	LakeT1	K-12 Out T1 Internet Access, Paisley	300.00	300.00	0.00	0.00
1.00	MO	LakeT1	K-12 Out T1 Internet Access, Plush	300.00	300.00	0.00	0.00
1.00	MO	LakeT1	K-12 Out T1 Internet Access, T1 feed to Harney ESD	300.00	300.00	0.00	0.00
1.00	MO	LakeT1	K-12 Out T1 Internet Access: additional T1 for Paisley, Plush, and Adel	300.00	300.00	0.00	0.00
5.00	MO	ERATE-LAKE	ERATE DISCOUNT LAKE 76%	-228.00	-1,140.00	0.00	0.00

**NOTES:**

PLEASE REMIT PAYMENT TO EASTERN OREGON TECHNOLOGY, PO BOX 218, HINES, OR 97738

Sub-Total:	360.00
Freight:	0.00
Tax:	0.00
Total Amount:	360.00

**ORIGINAL**

# INVOICE

Invoice Date	Invoice Number	Rev.
10/01/2011	68003	0
Customer P.O. Number		
Reference		
INTERNET ACCESS		

Questions ? Sallie Peila (541) 573-4821

**Bill To :**

Lake ESD  
ATTN: Sara Sarensen  
357 North L Street  
Lakeview, OR 97630

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Phone: (541) 947-3371

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1.00	MO	LakeT1	K-12 Out T1 Internet Access, T1 feed to Harney ESD	375.00	375.00	0.00	0.00
1.00	MO	LakeT1	K-12 Out T1 Internet Access: additional T1 for Paisley, Plush, and Adel	375.00	375.00	0.00	0.00

**NOTES:**

PLEASE REMIT PAYMENT TO EASTERN OREGON TECHNOLOGY, PO BOX 218, HINES, OR 97738

<b>Sub-Total:</b>	1,875.00
<b>Freight:</b>	0.00
<b>Tax:</b>	0.00
<b>Total Amount:</b>	1,875.00

**ORIGINAL**